# Ex Parte Irresponsibles

A Critical Review of Robert Groden and Harrison Edward Livingstone's High Treason (New York: Berkley, 1990) on the Assassination of President John F. Kennedy.

by

David R. Wrone

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Robert J. Groden and Harrison Edward Livingstone, High Treason. The Assassination of President John F. Kennedy and the New Evidence of Conspiracy. New York: Berkley Books, 1990. Xiv, 562, pp. Bibliography, notes, general and subject indices, two appendices. $6.50.

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One of the most exhaustive compilations of the fantasizing found in the nut books on the assassination of President John F. Kennedy is Berkley Publishing Group's

High Treason by Robert J. Groden and Harrison Edward Livingstone. They have successfully dredged the swamps of the most irresponsible writing on the murder and have embellished their findings extensively and imaginatively.

They pound forth their thesis in clear black and white terms; no shades of grey, no doubts about conclusions, no alternative interpretations of facts exist for them. After setting forth their version of the assassination, after building the official case for pinning the murder exclusively on Lee Harvey Oswald, and after discussing the twists and turns of the House Committee on Assassinations investigation they assert a Secret Team with roots in the Central Intelligence Agency and the highest reaches of officialdom, working through "special operations", killed President Kennedy, only part of the myriad sinister activities of this anti-democractic group whose actions imperil the republic.

Key to their argument is the charge the x-rays and pictures of the President's autopsy were faked to hide as well as to simulate head wounds in order to frame Oswald. They present extensive commentary by the medical personnel at Parkland Memorial Hospital and at Bethesda Naval Hospital to bolster their claim that a large wound appeared on the back of President Kennedy's head as well as one above his ear and temple, damage inconsistent with a rear shot that Oswald only

could have inflicted and consequently proof patent of a frontal shot and thus a conspiracy.

Since the official x-rays and photographs in the archives do not depict such a back of the head wound the authors conclude these essential documents must be corrupt. Indeed they claim to have discovered irregularities on the film and photographs which conclusively demonstrate a forgery.

To many not familiar with the complex factual picture and the convoluted, indeed Byzantine, history of the assassination of President Kennedy and its investigation the array of evidence mustered by these unaffiliated researchers must seem to be persuasive. But reality easily and quickly reduces their argument to a species of nonsense hallmarked by a blind puerile acceptance of any and all speculations and facts that fits their preconceptions.

Even the most modestly critical mind must ask the central questions of when and where and how could the forgery be done? In order to fake the film the counterfeiters would have to wait until the completion of the autopsy. There would be no other physically possible way. During the post mortem at Bethesda with 50 or so people watching conspirators could not jimmy the prints (and some of the photographs as well were taken during the autopsy). The fakers would have to toy

with the head to forge the wounds; they could only do it during the post mortem which not only could not be done but was impossible. But if the head was not fabricated then the autopsy report would have been inconsistent with the film.

Nor was any other opportunity for forgery available to "the Secret Team". In Bethesda the medical men turned the x-rays over to the Secret Service which possessed them until they transferred them to the National Archives by the Memorandum of Transfer (4-26-65) subject to examination by experts. No window of time existed to make alterations.

On the seeming overwhelming array of eyewitness statements and testimony to an original large rear head wound trotted forth by the authors we do well to recall the response of Diana to Bertram in All's Well That Ends Well:

" *'Tis not the many oaths that makes the truth,*
*But the plain single vow that is vow'd true."*

Truth is not a sum of numbers. Some witnesses have wrong memories, frailty is a quality of human race the world over; others lie; others over the years time and again answer the same questions from theory-driven researchers until their memories start to fuse and tumble with the distorted factual base of the theorists. At the same time the way researchers frame questions can often suggest content for an answer, especially if they load their questions with factual matter.

The witness may consciously or unconsciously absorb the data backing up a false picture of events and may in fact him or herself come to believe it.

Witness testimony in the emotionally charged assassination controversy especially is to be treated with caution and with great sensitivity on how it came to be.

With Mssrs. Groden and Livingstone, however, none of this is a problem. The human mind presents itself to them as a simple computer to be booted, keyed, and the data recorded.

The conclusive rebuttal to the conflicting witness testimony though came on the twenty-fifth anniversary of the assassination when NOVA presented a program that included the original Parkland doctors. After they had finished viewing the x-rays the camera records them as saying the films showed what they remembered!

But the key to refuting the forgery charge is found in the answer to a more fundamental question: Why create a forgery whose purpose was to destroy the purpose of the very forgery? Why is this Mr. Groden and Mr. Livingstone? The x-rays in the official body of evidence irrefutably destroy the official conclusion of a single assassin by the evidence it defines of more than one, and thus a conspiracy.

Fragments of bullet metal are in the neck of President Kennedy, left by a bullet which could by the official

conclusions of the Warren Commission and the House Select Committee only have been left by the transiting bullet in the official evidence known as CE 399, the single bullet which inflicted all nonfatal wounds on the President and Governor. 399 is pristine; its weight cannot carry the additional burden of the deposited lead, thus requiring another bullet to leave the neck fragments, one impossible to have been fired in the physical and chronological constraints imposed by the Mannlicher-Carcarno allegedly used by Oswald. It alone disproves the official conclusions.

After the doctors cleaned Governor Connally's chest of bullet fragments the x-rays reveal a fragment left in his chest, imposing an absolutely impossible load on 399. The Connally fragments by themselves establish a conspiracy.

In the front right of President Kennedy's head the x-rays reveal a pattern of dust-like fragments, a dispersal pattern inconsistent with a rear shot and only consistent with a frontal head shot and thus requiring an assassin to the front as well as one to the rear to account for the rear back wound. This is irrefutable; it proves a conspiracy.

Why would counterfeiters forge x-rays to hide a conspiracy and manipulate them in a way that proves a conspiracy? Since the authors are silent we provide the answer: there was no forgery.

The authors put forward the Secret Team argument with sources largely drawn from a number of fringe books on intelligence operations whose principal form of confirmation of authenticity comes from citing each others works. To illustrate. They accept the French intelligence black book Farewell America[1] as reliable and extremely important, citing Warren Hinckle's If You Have a Lemon[2] as proof of its bona fides. Its factually skewed account absolutely is not. They are not aware of the deception in the book let alone its factual distortions and errors; even a modest knowledge of Farewell America's true history and intent would have enabled them to avoid being tainted by its propaganda. But what of authors who believe and credit your fakes?

Nowhere more significantly does the weakness to render sound judgments and to employ critical faculties appear than in their blind acceptance of the doctrines of L. Fletcher Prouty.

High Treason cites, quotes, and slavishly follows Mr. Prouty's turnings and contortions in his The Secret Team.[3] Let us use just one point to serve as a means to evaluate the opinion of Mr. Prouty and the judgments of his followers Mssrs. Groden and Livingstone. Mr. Prouty claims Daniel Ellsberg's release of the Pentagon Papers "was really on behalf of the CIA and ST and not the other way around." Ellsberg "made the CIA `look good'"

Imagine, a man sacrifices his career and reputation, acts against great odds with no ghost of a chance of making a penny out of his deed, spends the rest of his life struggling to make ends meet and America better, provides the public with the ammunition it needs to attack the CIA, the war in Asia, and the administration--things that help lead to a major investigation of the Agency -- and we are told it was a CIA deed! Can anything be more flat earth-ish? And this typifies the authors' evidence to support their charge a secret team operated in the JFK assassination.

They devote an entire chapter to the strange deaths of individuals associated with the assassination and its investigations, which is one of those old fashioned sump holes. Go over these deaths one by one.

Take William Whaley, the cab driver who drove Oswald to his rooming house after the assassination, as a good representation of them. A head-on automobile accident killed him, the only cab driver to die on the road in Dallas since before World War II. But how did he die? On a four lane divided highway a car driven by an 80 year old man jumped the median strip and hit him. Are we to believe that the CIA employs 80 year old suicide assassins?

But what did Mr. Whaley have to contribute that required his silence? Officials, police and critics agree

that Oswald did not wear a jacket when he fled the Book Depository and got into the taxicab, yet Mr. Whaley swore he wore two (!), one over the other. During the course of his testimony he also solemnly swore that he let Oswald out at three different locations, one of them the corner of two streets that run parallel. He also swore to the wrong man in the line-up and swore he signed a blank affidavit for "Bill" Alexander the local official to fill in. And so forth and so on. Why would the Secret Team kill Whaley? Why Mssrs. Groden and Livingstone?

All the so-called mysterious deaths belong in the same clap trap bin of irrelevancy, the evidence for their importance found only in the ink of the authors not in the cold, hard, facts of the world readily available to them, but spurned for the illusion of a peculiar false hypothesis.

Throughout the book numerous facts about the assassination and its immediate investigation that they confidently present as solid are far from that. For example, they assert the actions of the driver of the presidential limousine, Secret Service Agent William Greer, were diabolical. A man in his fifties they claim his reaction times had slowed allegedly as revealed in the Zapruder film when during the assassination the car slows and then, it appears, momentarily stopped on Elm Street, thus permitting the

assassins time to complete their shooting of President Kennedy.

We are not told this is lifted from William Manchester's terrible book Death of a President.[4]

Mr. Greer's action displayed nothing abnormal. Barney Oldfield could have been driving the limousine and it would have made no difference. The car was in a cul de sac. The whole episode took place within six seconds officially. What would you have Greer do? Should he have turned left or right? It would have made no difference. Further, the car did not have the capability modern cars have to speed up, for with its armour it was described more as a small tank or heavy truck; it could not have sped up instantly.

They employ their standard for sinister participation selectively for in the actions of other Secret Service Agents, such as Clint Hill, who risked his life jumping on the speeding vehicle, we see heroism. Is this part of the Secret Team's skullduggery too?

What the authors say of Mr. Greer's actions is indecent.

Let us examine another factual embellishment. On the attribution of one officer that the police discovered a Mauser not a Carcano on the sixth-floor we only have the officer's word at the time and no proof. And proof is the criterion for plausibility, not fanciful speculation. On CBS

They didn't "ignore" me. They knew my critiques. But they ate some of my work & gave Weis book, which apparently used it without citation

a few years later he admitted he was mistaken.

We also note that many of the sources quoted on the assassination took much of their information from other researchers many without attribution, including much from the several volumes of that extraordinary scholar of the murder Harold Weisberg, especially his Post Mortem.[5] Why is it assumed conventions of scholarship are not to be followed in this event? And what can be said of utilizing a secondary writer on the ballistic evidence and not Weisberg's hard fought, exclusive, and carefully developed voluminous court-defined material on the ballistics tests? To ignore Weisberg is not merely inexcusable but also is to savage the ballistics reality.

The authors never raise fundamental questions about the nature of the conspiracy they assert operated, issues so critical that once opened to the sunlight they demolish all plausibility of their thesis.

The number of persons they have participating in the conspiracy wrecks them. When the number of actors that necessarily must have played a role in the conspiracy is tallied it reaches into at least two thousand. Found in a score of agencies they range in their duties from couriers, to scientists, to field investigators, to film developers, to thiefs, to publicity agents, to chemical analysts; in rank

they go from admirals to seamen to bureau chiefs; and, in geography from Florida to Texas to Washington to Mexico. Such masses simply could not function together. It is impossible. Half a dozen would have been difficult. But they cannot maintain their argument without everyone of them.

It is incumbent upon these two self proclaimed experts in covert tactics to show how the CIA could work in the frame of a split second timing of the murder, set up the autopsy at a place whose site was not known until 4:00 in the afternoon which would require fifty persons at each of five or six locations at the ready, be absolutely certain the scores of photographers on Dealey Plaza did not capture them on film, avoid the intense scrutiny of the world which swept down on Dallas like a hurricane probing every sort of nook and cranny, manipulate the grassroot patriotism of the common man and woman, be certain the religious scruples of some of the people involved did not kick in and spoil it all, know the consciences of all concerned were of like form and would not pang them at the moment they slew the President or faked the investigation, and myriad other details connected with execution of the most powerful man on earth. How did the CIA and the Secret Team factor all of this into place and do it successfully?

To coordinate with exquisite timing such a massive cohort of traitors, to provide the expert technical support

in a score of fields from graphology to photography to communications to electronics to law to politics to publishing to finances to ballistics to shooting and on and on---is an absolute impossibility.

More significant for the authors is their failure to explain the problem of after the assassination. How did the CIA keep these many people quiet for thirty years, so silent not one has broken ranks?

It should be asked how could such a book come to be in a nation noted for its critical abilities? The answer must be sought in the manner they researched and wrote and published, an approach identical to the one used by the first major federal inquiry. The Warren Commission conducted its proceedings on an ex parte basis without the adversarial tools a proper investigation required. When Senator Robert Kennedy said the Warren Commission could have anything it wanted this included the x-rays. It chose not to use them, ex parte permitting it. The same ex parte approach to this major crime is employed by Mssrs. Groden and Livingstone with the result of generating this cloud cuckoo land tract.

What though can be confidently said of the assassination of President Kennedy? Several fundamental elements of the historical picture are firmly rooted in the documentary base knowable to all who approach the subject with candor and

objectivity.[6] It required more than one shooter to inflict all the damage done that day to President John F. Kennedy, Governor John B. Connally, and citizen James Tague; a conspiracy operated. No credible evidence connects Oswald to the murder. The evidence is beyond question that the Warren Commission knew their findings were false. And, the irresponsible critics of which (whom) Mssrs. Groden and Livingstone are fine examples, have befuddled the public mind on the nature of the crime while diverting its attention to will o'the wisps and crackbrain theories to obscure the damning reality that puts all the worst evils they have conjured up into the shade--the United States of America did not (really) investigate the murder of its 35th President.

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[1]James Hepburn, Farewell America. Vaduz, Liechtenstein: Frontiers, 1968.

[2]Warren Hinckle, If You have a Lemon make a Lemonade New York: G. P. Putnam's Sons, 1974.

[3]L. Fletcher Prouty, The Secret Team. The CIA and Its Allies in Control of the United States and the World. Englewood Cliffs, N. J.: Prentice-Hall, 1973.

[4]William Manchester, The Death of a President. New York: Harper & Row, 1967.

[5]Harold Weisberg, Post Mortem. Frederick, Md.: By the author, 1975.

[6]The best general approach to lay a foundation for the crime is to read the following three books and watch the video. Then the interested person should pursue the documentary material in the Warren Commission files and publications listed in the books. Do not fall in the ditch by seeking merely to know who shot President Kennedy, although I realize this is advice that will mostly fall on ears made deaf by the incessant clamor in the theorists' books and in the media to define the assassins. Seek rather to know the factual base of the crime which responds to the question what happened to President Kennedy? In its resolution one derives the critical faculties necessary to understand this complex crime and can refute the inimical doctrines of books like that of Mssrs. Groden and Livingstone.

a. Harold Weisberg, Whitewash. Frederick, Md.: By the author, 1965.
b. Sylvia Meagher, Accessories After the Fact. New York: Bobbs-Merrill, 1967.
c. Howard Roffman, Presumed Guilty. Rutherford, N.J.: Fairleigh Dickinson university, 1975.
d. Reasonable Doubt. Produced and directed by Chip Selby. College Park, Md.: Box 174 CS Films, 1988. 51 minutes.

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